

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES AND ENERGY

Call to Order: By **CHAIRMAN GREG LIND**, on January 17, 2007 at 3:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Greg Lind, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Kelly Gebhardt (R)
Sen. Dan Harrington (D)
Sen. Christine Kaufmann (D)
Sen. Gary L. Perry (R)
Sen. Bill Tash (R)
Sen. Mitch Tropila (D)
Sen. David E. Wanzenried (D)

Members Excused: None.

Members Absent: None.

Staff Present: Claudia Johnson, Committee Secretary
Joe Kolman, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 180, 1/15/2007; SB 105,
1/15/2007; SB 200, 1/15/2007
Executive Action: SB 25

00:02:21 Chairman Lind

HEARING ON SB 180

Opening Statement by Sponsor:

00:03:11 **SEN. DAN HARRINGTON (D), SD 38**, opened the hearing on **SB 180**, Revise metal mine reclamation and metal mine laws.

Proponents:

00:06:49 Warren McCullough, PCD/EMB, Department of Environmental Quality(DEQ)

00:13:47 Richard Oppen, Director, DEQ

00:16:52 Matt Clifford, Clark Fork Coalition

Opponents:

00:19:40 Jeff Barber, Montana Environmental Information Center (MEIC)

EXHIBIT(nas11a01)

00:24:34 Debbie Shea, Montana Mining Association

00:28:33 Fess Foster, Environmental Consultant

EXHIBIT(nas11a02)

00:30:31 Leo Berry, Montana Mining Association

00:34:39 Ed Bartlett, Golden Sunlight Mine

EXHIBIT(nas11a03)

00:40:45 Mike Halligan, Montana Resources

00:42:14 Don Allen, Western Environmental Trade Association (WETA)

Informational Testimony: None.

Questions from Committee Members and Responses:

00:43:21 Sen. Kaufmann to Jeff Barber, MEIC

00:44:26 Sen. Tash to Sen. Harrington

00:45:31 Sen. Tash to Director Oppen, DEQ

00:46:37 Sen. M. Tropila to Director Oppen, DEQ

Closing by Sponsor:

00:48:53 Sen. Harrington

Discussion:

00:52:06 Vice Chair Sen. Wanzelried

HEARING ON SB 105

Opening Statement by Sponsor:

00:52:13 **SEN. GREG LIND (D), SD 50**, opened the hearing on **SB 105**, Tax break for equipment to sequester carbon dioxide.

EXHIBIT(nas11a04)

Proponents:

00:57:47 Todd O'Hair, Decker Coal Mine

00:58:26 Mike Brushett, North Western Energy (NWE)

00:59:16 Leo Berry, Great Northern Properties

01:00:17 Dave Galt, Montana Petroleum Association

01:00:38 Bud Clinch, Montana Coal Council

01:01:19 Jerome Anderson, Encore Acquisition Company

01:04:26 Don Allen, WETA

01:05:31 David Hoffman, PPL Montana

EXHIBIT(nas11a05)

01:06:58 Sen. Perry to Sen. Wanzelried

Opponents:

01:07:26 Jeff Barber, Montana Environmental Information Center

Informational Testimony:

01:09:01 Vern Fogle, Department of Revenue

Questions from Committee Members and Responses:

01:10:39 Sen. Perry to Sen. Lind

01:11:02 Joe Kolman to Sen. Perry

01:11:46 Sen. Gebhardt to Sen. Wanzenried

01:12:55 Sen. Kaufmann to Sen. Wanzenried

01:13:34 Sen. Wanzenried

EXHIBIT (nas11a06)

EXHIBIT (nas11a07)

01:14:24 Sen. Lind

01:16:50 Sen. Wanzenried to Sen. Lind

01:18:19 Sen. Tash to Bud Clinch, Montana Coal Council

01:20:08 Sen. Perry to Sen. Lind

01:22:26 Sen. Perry to Todd O'Hair, Rio Tinto Energy America
Services Company, England

Closing by Sponsor:

01:24:57 Sen. Lind

Discussion:

01:31:55 Chairman Lind

Opening Statement by Sponsor:

01:32:09 **SEN. DAVE LEWIS (R), SD 42**, opened the hearing on **SB 200**, Authorize litigation for cleanup of Mike Horse mine.

Proponents:

01:37:34 Matt Clifford, Conservation Attorney for the Clark Fork Coalition

01:40:49 Ali Bovington, Attorney General's Office, Department of Justice (DOJ)

01:44:40 Ed Tinsly, County Commissioner, Lewis and Clark

01:45:24 Jeff Barber, Montana Environmental Information Center

01:45:36 Galen Hollinbaugh, Self

01:46:06 Molly Immen, Montanan Audubon

EXHIBIT(nas11a08)

Opponents: None.

Informational Testimony:

01:47:05 Jerry Meir, Liaison for National Forest Service

Questions from Committee Members and Responses:

01:47:50 Sen. Gebhardt to Sen. Lewis

01:50:21 Sen. Gebhardt to Ali Bovington, DOJ

01:50:35 Sen. Gebhardt to Mary Capdeville, DOJ

01:51:16 Sen. Wanzenried to Ali Bovington, DOJ

01:53:06 Sen. Wanzenried to Mary Capdeville, DOJ

01:53:40 Sen. Wanzenried to Sen. Lewis

01:56:13 Sen. Harrington to Mary Capdeville, DOJ

Closing by Sponsor:

01:58:16 Sen. Lewis

Discussion:

01:59:18 Chairman Lind

[EXHIBIT](#)(nas11a09)

EXECUTIVE ACTION ON SB 25

02:00:30 Motion: SEN. WANZENRIED moved that SB 25 DO PASS.

Discussion:

02:02:19 Motion: SEN. WANZENRIED moved that AMENDMENT
SB002501.AJK DO PASS.

[EXHIBIT](#)(nas11a10)

02:02:34 Discussion:

02:02:42 Joe Kolman, LSD

02:07:13 Sen. Tropila to Sen. Wanzenried

02:07:46 Tom Schultz, DNRC

02:08:02 Sen. Tropila

02:08:56 Sen. Curtiss to Sen. Lind

02:09:43 Sen. Gebhardt to Sen. Lind

02:13:05 Sen. Lind

02:13:15 Tom Schultz, DNRC

02:15:43 Sen. Tash

02:17:08 Sen. Perry to Tom Schultz, DNRC

02:19:08 Sen. Perry to Sen. Gebhardt

02:21:28 Vote: Motion carried 8-1 by roll call vote with SEN.
CURTISS voting no.

02:22:08 Motion/Vote: SEN. WANZENRIED moved that SB 25 DO PASS
AS AMENDED. Motion carried unanimously by voice vote.

Discussion:

02:24:29 Chairman Lind

ADJOURNMENT

Adjournment: 5:25 P.M.

January 17, 2007

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SEN. GREG LIND, Chairman

CLAUDIA JOHNSON, Secretary

GL/cj

Additional Exhibits:

EXHIBIT ([nas11aad.pdf](#))